

Privacy Policy

Effective Date: 11/29.2019

At VergeSense, we take your privacy seriously. This Privacy Policy covers how we treat Personal Data (as defined below) that we gather when you access or use our website(s), products, services and applications (the “Services”). **By using or accessing the Services in any manner, you acknowledge that you accept the practices and policies outlined in this Privacy Policy, and you hereby consent that we will collect, use, and share your information in the following ways.**

What this Privacy Policy Covers

“Personal Data” means any information that identifies or relates to a particular individual and also includes information referred to as “personally identifiable information” or “personal information” under applicable data privacy laws, rules, or regulations. This Privacy Policy does not cover the practices of companies we don’t own or control or people we don’t manage.

Sources of Personal Data

We collect Personal Data about you from:

- You:
 - when you provide such information directly to us, and
 - when Personal Data about you is automatically collected in connection with your use of our Services.
- Third parties, when they provide us with Personal Data about you (“Third Parties”). Third Parties that share your Personal Data with us include:
 - Service providers. For example, we may use analytics service providers to analyze how you interact and engage with the Services, or third parties may help us provide you with customer support.
 - Social networks connected to the services. If you provide your social network account credentials to us or otherwise sign in to the Services through a third-party site or service, you understand some content and/or information in those accounts may be transmitted into your Account with us.
 - Advertising partners. We receive information about you from some of our service providers who assist us with marketing or promotional services related to how you interact with our websites, applications, products, services, advertisements or communications.

The following sections provide additional information about how we collect your Personal Data.

Information Collected Automatically

The Services use cookies and similar technologies such as pixel tags, web beacons, clear GIFs, and JavaScript (collectively, “Cookies”) to enable our servers to recognize your web browser and tell us how and when you visit and use our Services, to analyze trends, learn about our user base and operate and improve our Services. Cookies are small pieces of data– usually text files – placed on your computer, tablet, phone, or similar device when you use that device to visit our Services. We may also supplement the information we collect from you with information received from third parties, including third parties that have placed their own Cookies on your device(s). Please note that

because of our use of Cookies, the Services do not support “Do Not Track” requests sent from a browser at this time.

We use the following types of Cookies:

- Essential Cookies. Essential Cookies are required for providing you with features or services that you have requested. For example, certain Cookies enable you to log into secure areas of our Services. Disabling these Cookies may make certain features and services unavailable.
- Functional Cookies. Functional Cookies are used to record your choices and settings regarding our Services, maintain your preferences over time and recognize you when you return to our Services. These Cookies help us to personalize our content for you, greet you by name, and remember your preferences (for example, your choice of language or region).
- Performance/Analytical Cookies. Performance/Analytical Cookies allow us to understand how visitors use our Services such as by collecting information about the number of visitors to the Services, what pages visitors view on our Services and how long visitors are viewing pages on the Services. Performance/Analytical Cookies also help us measure the performance of our advertising campaigns in order to help us improve our campaigns and the Services’ content for those who engage with our advertising. For example, Google, Inc. (“Google”) uses cookies in connection with its Google Analytics services. Google’s ability to use and share information collected by Google Analytics about your visits to the Services is subject to the Google Analytics Terms of Use and the Google Privacy Policy. You have the option to opt-out of Google’s use of cookies by visiting the Google advertising opt-out page at www.google.com/privacy_ads.html or the Google Analytics Opt-out Browser Add-on at <https://tools.google.com/dlpage/gaoptout/>.
- Retargeting/Advertising Cookies. Retargeting/Advertising Cookies collect data about your online activity and identify your interests so that we can provide advertising that we believe is relevant to you. For more information about this, please see the section below titled “Information about Interest-Based Advertisements.”

You can decide whether or not to accept Cookies through your internet browser’s settings. Most browsers have an option for turning off the Cookie feature, which will prevent your browser from accepting new Cookies, as well as (depending on the sophistication of your browser software) allow you to decide on acceptance of each new Cookie in a variety of ways. You can also delete all Cookies that are already on your computer. If you do this, however, you may have to manually adjust some preferences every time you visit a site and some of the Services and functionalities may not work.

To explore what Cookie setting are available to you, look in the “preferences” or “options” section of your browser’s menu. To find out more information about Cookies, including information about how to manage and delete Cookies, please visit <http://www.allaboutcookies.org/>.

How We Use Your Personal Data

We process Personal Data to operate, improve, understand and personalize our Services. We use Personal Data for the following purposes:

- To meet or fulfill the reason you provided the information to us.
- To communicate with you about the Services, including Service announcements, updates or offers.

- To provide support and assistance for the Services.
- To create and manage your Account or other user profiles.
- To personalize website content and communications based on your preferences, including targeted offers and ads served through the Services.
- To process orders or other transactions.
- To respond to user inquiries and fulfill user requests.
- To improve and develop the Services, including testing, research, analysis and product development.
- To protect against or deter fraudulent, illegal or harmful actions and maintain the safety, security and integrity of our Services.
- To comply with our legal or contractual obligations, resolve disputes, and enforce our Terms of Use.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- For any other business purpose stated when collecting your Personal Data or as otherwise set forth in applicable data privacy laws, such as the California Consumer Privacy Act (the “CCPA”).

We will not collect additional categories of Personal Data or use the Personal Data we collected for materially different, unrelated, or incompatible purposes without providing you notice.

As noted in the list above, we may communicate with you if you’ve provided us the means to do so. For example, if you’ve given us your email address, we may send you promotional email offers or email you about your use of the Services. Also, we may receive a confirmation when you open an email from us, which helps us improve our Services. If you do not want to receive communications from us, please indicate your preference by emailing us at support@vergesenes.com

How We Share Your Personal Data

Disclosures of Personal Data for a Business Purpose

We have not disclosed your Personal Data to service providers or other parties for business purposes over the last 12 months.

Sales of Personal Data

We have not sold your Personal Data over the last 12 months.

Data Security and Retention

We seek to protect your Personal Data from unauthorized access, use and disclosure using appropriate physical, technical, organizational and administrative security measures based on the type of Personal Data and how we are processing that data. You should also help protect your data by appropriately selecting and protecting your password and/or other sign-on mechanism; limiting access to your computer or device and browser; and signing off after you have finished accessing your account. Although we work to protect the security of your account and other data that we hold in our records, please be aware that no method of transmitting data over the Internet or storing data is completely secure. We cannot guarantee the complete security of any data you share with us, and

except as expressly required by law, we are not responsible for the theft, destruction, loss or inadvertent disclosure of your information or content.

We retain Personal Data about you for as long as you have an open account with us or as otherwise necessary to provide you with our Services. In some cases we retain Personal Data for longer, if doing so is necessary to comply with our legal obligations, resolve disputes or collect fees owed, or is otherwise permitted or required by applicable law, rule or regulation. We may further retain information in an anonymous or aggregated form where that information would not identify you personally.

Personal Data of Children

As noted in the Terms of Use, we do not knowingly collect or solicit Personal Data from children under 13; if you are a child under 13, please do not attempt to register for or otherwise use the Services or send us any Personal Data. If we learn we have collected Personal Data from a child under 13, we will delete that information as quickly as possible. If you believe that a child under 13 may have provided us Personal Data, please contact us at support@vergesense.com

California Resident Rights

If you are a California resident, you have the rights outlined in this section. Please see the “Exercising Your Rights” section below for instructions regarding how to exercise these rights. If there are any conflicts between this section and any other provision of this Privacy Policy and you are a California resident, the portion that is more protective of Personal Data shall control to the extent of such conflict. If you have any questions about this section or whether any of the following applies to you, please contact us at support@vergesense.com

Access

You have the right to request certain information about our collection and use of your Personal Data over the past 12 months. We will provide you with the following information:

- The categories of Personal Data that we have collected about you.
- The categories of sources from which that Personal Data was collected.
- The business or commercial purpose for collecting or selling your Personal Data.
- The categories of third parties with whom we have shared your Personal Data.
- The specific pieces of Personal Data that we have collected about you.

Deletion

You have the right to request that we delete the Personal Data that we have collected from you. Under the CCPA, this right is subject to certain exceptions: for example, we may need to retain your Personal Data to provide you with the Services or complete a transaction or other action you have requested. If your deletion request is subject to one of these exceptions, we may deny your deletion request.

Exercising Your Rights

To exercise the rights described above, you must send us a request that (1) provides sufficient information to allow us to verify that you are the person about whom we have collected Personal

Data, and (2) describes your request in sufficient detail to allow us to understand, evaluate, and respond to it. Each request that meets both of these criteria will be considered a “Valid Request.” We may not respond to requests that do not meet these criteria. We will only use Personal Data provided in a Valid Request to verify you and complete your request. You do not need an account to submit a Valid Request.

We will work to respond to your Valid Request within 45 days of receipt. We will not charge you a fee for making a Valid Request unless your Valid Request(s) is excessive, repetitive, or manifestly unfounded. If we determine that your Valid Request warrants a fee, we will notify you of the fee and explain that decision before completing your request.

You may submit a Valid Request using the following methods:

- Call us at: 617-618-5006
- Emailing us at: support@vergesense.com

We Will Not Discriminate Against You for Exercising Your Rights Under the CCPA

We will not discriminate against you for exercising your rights under the CCPA. We will not deny you our goods or services, charge you different prices or rates, or provide you a lower quality of goods and services if you exercise your rights under the CCPA. However, we may offer different tiers of our Services as allowed by applicable data privacy laws (including the CCPA) with varying prices, rates, or levels of quality of the goods or services you receive related to the value of Personal Data that we receive from you.

Other State Law Privacy Rights

California Resident Rights

Under California Civil Code Sections 1798.83-1798.84, California residents are entitled to contact us to prevent disclosure of Personal Data to third parties for such third parties’ direct marketing purposes; in order to submit such a request, please contact us at support@vergesense.com.

Nevada Resident Rights

If you are a resident of Nevada, you have the right to opt-out of the sale of certain Personal Data to third parties who intend to license or sell that Personal Data. You can exercise this right by contacting us at support@vergesense.com with the subject line “Nevada Do Not Sell Request” and providing us with your name and the email address associated with your account. Please note that we do not currently sell your Personal Data as sales are defined in Nevada Revised Statutes Chapter 603A.

Changes to this Privacy Policy

We’re constantly trying to improve our Services, so we may need to change this Privacy Policy from time to time as well, but we will alert you to changes by placing a notice on the www.vergesense.com website, by sending you an email, and/or by some other means. Please note that if you’ve opted not to receive legal notice emails from us (or you haven’t provided us with your email address), those legal notices will still govern your use of the Services, and you are still responsible for reading and understanding them. If you use the Services after any changes to the

Privacy Policy have been posted, that means you agree to all of the changes. Use of information we collect is subject to the Privacy Policy in effect at the time such information is collected.

Contact Information:

If you have any questions or comments about this Privacy Policy, the ways in which we collect and use your Personal Data, your choices and rights regarding such use, please do not hesitate to contact us at:

- (617) 618-5006
- www.vergesense.com
- support@vergesense.com
- 724 Brannan Street, San Francisco CA 94103